

EXHIBIT A

SUMMONS (CITACION JUDICIAL)

NOTICE TO DEFENDANT: (AVISO AL DEMANDADO):

Starbucks Corporation and DOES 1 through 100, inclusive

YOU ARE BEING SUED BY PLAINTIFF: (LO ESTÁ DEMANDANDO EL DEMANDANTE):

George Cable an individual (U)

SUM-100

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

CONFORMED COPY
ORIGINAL FILED
Superior Court of California
County of Los Angeles

FEB 08 2017

Sherril R. Carter, Executive Officer/Clerk
By: Judi Lara, Deputy

NOTICE: You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **AVISO:** Lo ha demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 o más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desachar el caso.

The name and address of the court is:
(El nombre y dirección de la corte es): Stanley Mosk Courthouse
111 N. Hill Street Los Angeles, CA 90012

CASE NUMBER:
(Número del Caso): **BC 640985**

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
Joshua Cohen Slatkin 2001 Wilshire Blvd. Ste. 320 Santa Monica, CA 90403 (310) 627-2699

DATE: **FEB 08 2017** **SHERRI R. CARTER** Clerk, by **Judi Lara** Deputy
(Fecha) (Secretario) (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

NOTICE TO THE PERSON SERVED: You are served

- ☐ as an individual defendant.
- ☐ as the person sued under the fictitious name of (specify):

3. ☒ on behalf of (specify): **Starbucks Corporation**

- under: ☒ CCP 418.10 (corporation) ☐ CCP 418.60 (minor)
☐ CCP 418.20 (defunct corporation) ☐ CCP 418.70 (conservatee)
☐ CCP 418.40 (association or partnership) ☐ CCP 418.90 (authorized person)
☐ other (specify):

- ☐ by personal delivery on (date):

Form Adopted for Mandatory Use
Judicial Council of California
01/04/100 (Rev. July 1, 2009)

SUMMONS

Page 1 of 1
Code of Civil Procedure §§ 418.20, 420
www.courtinfo.ca.gov

LAW OFFICE OF JOSHUA COHEN SLATKIN
JOSHUA COHEN SLATKIN (SBN 285090)
 2001 Wilshire Blvd., Ste. 320
 Santa Monica, California 90403
 Telephone: 310-627-2699
 Facsimile: 310-943-2757
jcohenslatkin@jcslaw4you.com

Attorney for Plaintiff, George Cable

CONFORMED COPY
ORIGINAL FILED
 Superior Court of California
 County of Los Angeles

FEB 08 2017

Sherri M. Carter, Executive Officer/Clerk
By: Judi Lara, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES COUNTY

BC 6 4 9 9 8 8

George Cable, an individual,

Plaintiff,

vs.

Starbucks Corporation and DOES 1 through
 100, inclusive,

Defendants.

Case No.

**COMPLAINT FOR DAMAGES,
 RESTITUTION, AND PENALTIES**

- 1. VIOLATION OF THE CALIFORNIA
 FAMILY RIGHTS ACT –
 GOVERNMENT CODE SECTIONS
 12945.2, et. seq.;**
- 2. DISCRIMINATION BASED UPON
 PHYSICAL DISABILITY IN
 VIOLATION OF FEHA –
 GOVERNMENT CODE SECTIONS
 12940, et. seq.**
- 3. FAILURE TO ACCOMMODATE
 PHYSICAL DISABILITY IN
 VIOLATION OF FEHA –
 GOVERNMENT CODE SECTIONS
 12940, et. seq.**
- 4. FAILURE TO ENGAGE IN THE
 INTERACTIVE PROCESS IN
 VIOLATION OF FEHA –
 GOVERNMENT CODE SECTIONS
 12940, et. seq.**
- 5. FAILURE TO PREVENT
 DISCRIMINATION AND
 HARASSMENT IN VIOLATION OF
 FEHA – GOVERNMENT CODE
 SECTIONS 12940, et. seq.**
- 6. RETALIATION IN VIOLATION OF
 FEHA – GOVERNMENT CODE
 SECTIONS 12940, et. seq.**

COMPLAINT FOR DAMAGES, RESTITUTION, AND PENALTIES

1 7. **WRONGFUL TERMINATION IN**
2 **VIOLATION OF PUBLIC POLICY**

3 8. **DISCRIMINATION BASED UPON**
4 **AGE IN VIOLATION OF FEHA –**
5 **GOVERNMENT CODE SECTIONS**
6 **12940, et. seq.**

7 [DEMAND FOR JURY TRIAL]
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1 Plaintiff George Cable ("Plaintiff" or "Cable") hereby alleges the following on knowledge as to
2 himself and his respective known acts, and on information and belief as to all other matters:

3 I.

4 PARTIES

5 1. At all times mentioned herein, Plaintiff was an individual employed by Starbucks
6 Corporation ("Defendant" or "Starbucks"). The unlawful conduct alleged herein occurred in Los
7 Angeles County. Plaintiff is, and at all relevant times mentioned herein was, a resident of Los Angeles
8 County.

9 2. At all times mentioned herein, Defendant is a coffee business with multiple locations
10 throughout the United States with its principal place of business in Seattle, WA.

11 3. At all times mentioned herein, Defendant was an employer of Plaintiff as such term is
12 defined by California Government Code section 12926(d), that each regularly employed five (5) or
13 more persons.

14 4. At all times mentioned herein, each of the defendants named in the caption and each
15 DOE defendant was an agent, employee, joint employer, alter-ego and/or partner of the remaining
16 defendants, including the DOE defendants, and, in doing these things herein alleged, was acting within
17 the scope of such agency, employment and/or partnership with the permission, authority and/or consent
18 of his co-defendants.

19 5. Plaintiff is ignorant of the true names and capacities of defendants sued herein as DOES
20 1 through 100, inclusive, and therefore sue these defendants by such fictitious names. Plaintiff will
21 amend this complaint to allege the true names and capacities of said defendants when the same has
22 been ascertained. Each of the fictitiously named defendants is responsible in some manner for the acts
23 complained of herein. Unless otherwise stated, all references to named defendants shall include DOE
24 defendants as well.

1
2 **II.**

3 **JURISDICTION AND VENUE**

4 6. Jurisdiction and venue are proper in this Court because all of the claims alleged herein
5 arose in Los Angeles County and all of the defendants were and/or are residents of Los Angeles
6 County or are doing or did business in Los Angeles County, at all times relevant herein.

7 7. The amount in controversy in this matter exceeds the sum of \$25,000.00, exclusive of
8 interest and costs.

9 **III.**

10 **FACTUAL ALLEGATIONS**

11 8. Mr. Cable worked for Starbucks Coffee Company (hereinafter referred to as the "Defendant" or
12 "Starbucks") from August 2003 until April 29, 2016. He worked at Defendant's location on Hawthorne
13 and Artesia Blvd. (Store No. 5859).

14 9. Mr. Cable had knee replacement surgery in December 2015 and was placed on a medical leave
15 of absence.

16 10. Mr. Cable was on modified work duty and received accommodations due to a work place injury
17 he suffered at Starbucks around 2005.

18 11. Mr. Cable suffered a neck injury in 2005 which caused him to be permanently, partially
19 disabled and he often didn't work more than 4 hours per shift and did not work on consecutive days.

20 12. In a letter dated September 23, 2015, Mr. Cable was notified that he requested a medical
21 accommodation leave but the leave would be considered an accommodation leave of absence.

22 13. Mr. Cable received a letter dated December 31, 2015 from a third party administrator,
23 Sedgwick claims Management Services, Inc., stating that his accommodation leave ended on
24 December 21, 2015 and that he should return to work and to contact his manager, who was Amber
25 Rodriguez.

26 14. Dr. Stevenson, who performed the December 2015 surgery, wanted to extend Mr. Cable's
27 medical leave beyond this date due to complications from his knee surgery in December 2015.
28

1 15. On or about March 2016 Starbucks, by and through a third-party administrator, refused to
2 accept Mr. Cable's extension to his medical leave from his doctor.

3 16. Mr. Cable had a doctor's note dated April 4, 2016 stating that he was temporarily totally
4 disabled for two months.

5 17. Ms. Rodriguez told Mr. Cable that she would not take any adverse employment action against
6 him and to update her regarding his medical condition.

7 18. Mr. Cable then asked to be put on the schedule and advised Starbucks that he would perform
8 his job functions to the best of his ability despite his serious medical conditions and against his doctor's
9 advice to protect his job.

10 19. Mr. Cable repeatedly called Starbucks and Sedgewick regarding an extension of his medical
11 leave to accommodate his disability. However, Mr. Cable's medical leave was never extended and no
12 other medical accommodations were provided to him.

13 20. Mr. Cable was then terminated from Starbucks on or about April 29, 2016.

14 21. Substantial motivating reasons for Mr. Cable's termination were due to his medical condition,
15 age and resulting disabilities and request for medical leave and other reasonable accommodations.

16 22. The Defendant failed to accommodate and failed to engage in a good faith interactive process
17 with Plaintiff by failing to give him sufficient time to recover from his serious medical condition, knee,
18 neck and back issues , and therefore discriminated against him by terminating him based, in part on his
19 medical condition.

20 23. To this date of the filing of this Complaint, the Defendant has failed to reinstate Plaintiff's
21 employment as a barista for the Defendant.

22 24. Mr. Cable is over forty (40) years of age.

23 25. Mr. Cable was replaced by an employee that was younger than him.

24 26. The discriminatory actions of the Defendant alleged herein, including, without limitation,
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1 disability discrimination, retaliation, failure to engage in a good faith interactive process and failure to
 2 accommodate based on a disability/medical condition and age which is a continuing violation since
 3 Plaintiff has not been reinstated to his position as a barista with the Defendant as of the date of the
 4 filing of this complaint.

6 IV.

7 EXHAUSTION OF ADMINISTRATIVE REMEDIES

8 26. Prior to the initiation of this lawsuit, Plaintiff filed a complaint against each named
 9 defendant with the California Department of Fair Employment and Housing ("DFEH") pursuant to
 10 section 12900, *et seq.*, of the California Government Code, alleging the claims described in this
 11 complaint. On January 13, 2017, the DFEH issued a "right to sue" letter. True and correct copies of
 12 the administrative complaint and the "right to sue" letters are attached hereto collectively as **Exhibit 1**.
 13 All conditions precedent to the institution of this lawsuit has been fulfilled. This action is filed within
 14 one year of the date that the DFEH issued its right to sue letters.

16 V.

17 FIRST CAUSE OF ACTION

18 (Violation of CFRA)

19 (On behalf of Plaintiff against All Defendants)

20 27. Plaintiff incorporates each of the preceding paragraphs of this Complaint by reference
 21 as though fully set forth herein.

22 28. At all times herein mentioned, FEHA, Government Code §§12900-12996, was in full
 23 force and effect and was binding on Defendant. This included Government Code §12945.2 *et. seq.*
 24 which is commonly referred to as the California Family Rights Act ("CFRA"). CFRA requires that
 25 Defendant refrain from discriminating or retaliating against any employee on the basis of that
 26 employee's need to take leave to tend to his own serious medical condition or having taken such leave
 27 (*see* Government Code §§12945.2 (a) and (l)).
 28

1 Employment Opportunity Commission in its interpretive guidance of the Americans with Disabilities
2 Act.”

3 50. As set forth in the preceding paragraphs, Plaintiff repeatedly informed Defendant of his
4 disabilities and requested accommodations, but instead of engaging in a timely good faith process with
5 him to determine effective reasonable accommodations as required by California Government Code
6 sections 12940(n) and 12926.1(e), Defendant terminated his based, in part, on his disabilities. Had
7 Defendant engaged in a timely good faith interactive process, there were available reasonable
8 accommodations which would have accommodated Plaintiff's disabilities and allowed him to continue
9 to work with the Defendant.

10 51. As a proximate result of the conduct of Defendant, Plaintiff has suffered and will
11 continue to suffer damages in terms of lost wages, lost bonuses, lost benefits, and other pecuniary loss
12 according to proof. Plaintiff has also suffered and will continue to suffer physical and emotional
13 injuries, including nervousness, humiliation, depression, anguish, embarrassment, fright, shock, pain,
14 discomfort, fatigue, and anxiety. The amount of Plaintiff's damages will be ascertained at trial.

15 52. FEHA provides for an award of reasonable attorneys' fees and costs incurred by a
16 prevailing plaintiff in an action brought under its provisions. Plaintiff has employed and will continue
17 to employ attorneys for the initiation and prosecution of this action. Plaintiff has incurred and will
18 continue to incur attorneys' fees and costs herein. Plaintiff is entitled to an award of attorneys' fees and
19 costs.

20 53. Plaintiff has been generally damaged in an amount within the jurisdictional limits of this
21 Court.

22 IX.

23 FIFTH CAUSE OF ACTION

24 (Failure to Prevent Discrimination in Violation of FEHA)

25 (On behalf of Plaintiff against All Defendants)

26 54. Plaintiff incorporates each of the preceding paragraphs of this Complaint by reference
27 as though fully set forth herein.

1 according to proof. Plaintiff has also suffered and will continue to suffer physical and emotional
 2 injuries, including nightmares, nervousness, humiliation, depression, anguish, embarrassment, fright,
 3 shock, pain, discomfort, fatigue, and anxiety. The amount of Plaintiff's damages will be ascertained at
 4 trial.

5 62. FEHA provides for an award of reasonable attorneys' fees and costs incurred by a
 6 prevailing plaintiff in an action brought under its provisions. Plaintiff has employed and will continue
 7 to employ attorneys for the initiation and prosecution of this action. Plaintiff has incurred and will
 8 continue to incur attorneys' fees and costs herein. Plaintiff is entitled to an award of attorneys' fees and
 9 costs.

10 63. Plaintiff has been generally damaged in an amount within the jurisdictional limits of this
 11 Court.

12 XI.

13 SEVENTH CAUSE OF ACTION

14 (Wrongful Termination in Violation of Public Policy)

15 (On behalf of Plaintiff against All Defendants)

16 64. Plaintiff incorporates each of the preceding paragraphs of this Complaint by reference
 17 as though fully set forth herein.

18 65. Defendant terminated Plaintiff's employment in violation of important and well-
 19 established public policies, as set forth in various state statutes and Constitutional provisions including
 20 but not limited to, CFRA (alleged only if CFRA cause of action), FEHA and Const. Art. I section 8.

21 66. As a proximate result of the conduct of Defendant, Plaintiff has suffered and will
 22 continue to suffer damages in terms of lost wages, lost bonuses, lost benefits, and other pecuniary loss
 23 according to proof. Plaintiff has also suffered and will continue to suffer physical and emotional
 24 injuries, including nightmares, nervousness, humiliation, depression, anguish, embarrassment, fright,
 25 shock, pain, discomfort, fatigue, and anxiety. The amount of Plaintiff's damages will be ascertained at
 26 trial.
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PRAYER FOR RELIEF

1. For general damages, including emotional distress damages, according to proof on each cause of action for which such damages are available.

2. For special damages, according to proof on each cause of action for which such damages are available.

3. For compensatory damages, including emotional distress damages, according to proof on each cause of action for which such damages are available.

4. For prejudgment interest and post-judgment interest according to law.

5. For reasonable attorneys' fees incurred in this action pursuant to FEHA, CFRA and California Code of Civil Procedure section 1021.5.

6. For costs of suit incurred in this action.

7. For expert witness fees pursuant to FEHA.

8. For such other and further relief and the Court deems proper and just.

Dated: February 7, 2017

LAW OFFICE OF JOSHUA COHEN SLATKIN

By Joshua Cohen Slatkin
Joshua Cohen Slatkin
Attorney for Plaintiff, George Cable

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury on all causes of action alleged herein in the
Complaint for Damages and Restitution.

Dated: February 7, 2017

LAW OFFICE OF JOSHUA COHEN SLATKIN

By Joshua Cohen Slatkin
Joshua Cohen Slatkin
Attorney for Plaintiff, George Cable

Exhibit 1



STATE OF CALIFORNIA | Business, Consumer Services and Housing Agency

GOVERNOR EDMUND G. BROWN JR.

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1684 | TDD 800-700-2320
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

DIRECTOR KEVIN KISH

January 13, 2017

California

RE: Notice to Complainant or Complainant's Attorney

DFEH Matter Number: 720970-270497

Right to Sue: Cable / Starbucks Corporation

Dear Complainant or Complainant's Attorney:

Attached is a copy of your complaint of discrimination filed with the Department of Fair Employment and Housing (DFEH) pursuant to the California Fair Employment and Housing Act, Government Code section 12900 et seq. Also attached is a copy of your Notice of Case Closure and Right to Sue. Pursuant to Government Code section 12962, DFEH will not serve these documents on the employer. You or your attorney must serve the complaint. If you do not have an attorney, you must serve the complaint yourself. Please refer to the attached Notice of Case Closure and Right to Sue for information regarding filing a private lawsuit in the State of California.

Be advised that the DFEH does not review or edit the complaint form to ensure that it meets procedural or statutory requirements.

Sincerely,

Department of Fair Employment and Housing



STATE OF CALIFORNIA | Business, Consumer Services and Housing Agency

GOVERNOR EDMUND G. BROWN JR.

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

DIRECTOR KEVIN KISH

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1684 | TDD 800-700-2320
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

January 13, 2017

RE: Notice of Filing of Discrimination Complaint

DFEH Matter Number: 720970-270497

Right to Sue: Cable / Starbucks Corporation

To All Respondent(s):

Enclosed is a copy of a complaint of discrimination that has been filed with the Department of Fair Employment and Housing (DFEH) in accordance with Government Code section 12960. This constitutes service of the complaint pursuant to Government Code section 12962. The complainant has requested an authorization to file a lawsuit. This case is not being investigated by DFEH and is being closed immediately. A copy of the Notice of Case Closure and Right to Sue is enclosed for your records.

Please refer to the attached complaint for a list of all respondent(s) and their contact information.

No response to DFEH is requested or required.

Sincerely,

Department of Fair Employment and Housing



STATE OF CALIFORNIA | Business, Consumer Services and Housing Agency

GOVERNOR EDMUND G. BROWN JR.

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

DIRECTOR KEVIN KISH

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1684 | TDD 800-700-2320
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

January 13, 2017

George Cable
C/o Law Office Of Joshua Cohen Slatkin
Santa Monica, California 90403

RE: Notice of Case Closure and Right to Sue
DFEH Matter Number: 720970-270497
Right to Sue: Cable / Starbucks Corporation

Dear George Cable,

This letter informs you that the above-referenced complaint was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective January 13, 2017 because an immediate Right to Sue notice was requested. DFEH will take no further action on the complaint.

This letter is also your Right to Sue notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

To obtain a federal Right to Sue notice, you must visit the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of this DFEH Notice of Case Closure or within 300 days of the alleged discriminatory act, whichever is earlier.

Sincerely,

Department of Fair Employment and Housing



STATE OF CALIFORNIA | Business, Consumer Services and Housing Agency

GOVERNOR EDMUND G. BROWN JR.

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

DIRECTOR KEVIN KISH

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1684 | TDD 800-700-2320
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

Enclosures

cc:

1 **COMPLAINT OF EMPLOYMENT DISCRIMINATION**
2 **BEFORE THE STATE OF CALIFORNIA**
3 **DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING**
4 **Under the California Fair Employment and Housing Act**
5 **(Gov. Code, § 12900 et seq.)**

6 In the Matter of the Complaint of
7 George Cable, Complainant.
8 C/o Law Office Of Joshua Cohen Slatkin
9 Santa Monica, California 90403

DFEH No. 720970-270497

10 vs.

11 Starbucks Corporation, Respondent.
12 2401 Utah Avenue S., Suite 800
13 Seattle, Washington 92134

14 Complainant alleges:

15 1. Respondent **Starbucks Corporation** is a **Private Employer** subject to suit under
16 the California Fair Employment and Housing Act (FEHA) (Gov. Code, § 12900 et
seq.). Complainant believes respondent is subject to the FEHA.

17 2. On or around **April 29, 2016**, complainant alleges that respondent took the
18 following adverse actions against complainant: **Discrimination, Retaliation**
19 **Terminated, .** Complainant believes respondent committed these actions because
of their: **Age - 40 and over, Disability, Medical Condition - Including cancer or**
cancer related medical condition or genetic characteristics .

20 3. Complainant **George Cable** resides in the City of **Santa Monica**, State of
21 **California**. If complaint includes co-respondents please see below.
22

Additional Complaint Details:

Mr. Cable worked for Starbucks Coffee Company (hereinafter referred to as "Starbucks") from August 2003 until April 29, 2016. Mr. Cable had knee replacement surgery in December 2015 and was placed on a medical leave of absence.

Mr. Cable was on modified work duty and received accommodations due to a work place injury he suffered at Starbucks around 2005. Mr. Cable suffered a neck injury in 2005 which caused him to be permanently, partially disabled and he often didn't work more than 4 hours per shift and did not work on consecutive days.

In a letter dated September 23, 2015, Mr. Cable was notified that he requested a medical accommodation leave but the leave would be considered an accommodation leave of absence. Mr. Cable received a letter dated December 31, 2015 from a third party administrator, Sedgwick claims Management Services, Inc., stating that his accommodation leave ended on December 21, 2015 and that he should return to work and to contact his manager, who was Amber Rodriguez. Dr. Stevenson, who performed the December 2015 surgery, wanted to extend Mr. Cable's medical leave beyond this date due to complications from his knee surgery in December 2015.

On or about March 2016 Starbucks by and through a third party administrator refused to accept Mr. Cable's extension to his medical leave from his doctor. Mr. Cable had a doctor's note dated April 4, 2016 stating that he was temporarily totally disabled for two months. Mr. Cable's supervisor, Amber Rodriguez, from the Hawthorne and Artesia store, who Mr. Cable discussed the issue regarding extending his medical leave stated that there was nothing she could do and it was out of her hands. Ms. Rodriguez told Mr. Cable that she would not take any adverse employment action against him and to update her regarding his medical condition. Mr. Cable then asked to be put on the schedule and advised Starbucks that he would perform his job functions to the best of his ability despite his serious medical conditions and against his doctor's advice to protect his job.

Mr. Cable repeatedly called Starbucks and Sedgwick regarding an extension of his medical leave to accommodate his disability. However, Mr. Cable's medical leave was never extended and no other medical accommodations were provided to him. Mr. Cable was then terminated from Starbucks on or about April 29, 2016. Substantial motivating reasons for Mr. Cable's termination were due to his medical condition, age and resulting disabilities and request for medical leave and other reasonable accommodations.

1 VERIFICATION

2 I, **Joshua Cohen Slatkin**, am the Attorney for Complainant in the above-entitled
3 complaint. I have read the foregoing complaint and know the contents thereof. The
4 same is true of my own knowledge, except as to those matters which are therein
5 alleged on information and belief, and as to those matters, I believe it to be true.

6 On January 13, 2017, I declare under penalty of perjury under the laws of the State
7 of California that the foregoing is true and correct.

8 **Santa Monica, CA**
9 **Joshua Cohen Slatkin**
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CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Print, State Bar number, and address): Joshua Cohen Slatkin (SBN: 283090) 2001 Wilshire Blvd. Ste. 320 Santa Monica, California 90403		FOR COURT USE ONLY CONFORMED COPY ORIGINAL FILED Superior Court of California County of Los Angeles FEB 08 2017 Sharn H. Carter, Executive Officer/Clerk By: Judi Lara, Deputy
TELEPHONE NO.: (310) 627-2699 FAX NO.: 310-943-2757 ATTORNEY FOR (Name): Plaintiff George Cable		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 N. Hill Street MAILING ADDRESS: -SAME- CITY AND ZIP CODE: Los Angeles 90012 BRANCH NAME: Stanley Mosk Courthouse		
CASE NAME: George Cable v Starbucks Corporation		
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)		Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)
		CASE NUMBER: BC 6 49 985 JUDGE: DEPT:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (48) Other PIP/DND (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (46) <input type="checkbox"/> Other PIP/DND (23) Non-PIP/DND (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PIP/DND tort (35) Employment <input checked="" type="checkbox"/> Wrongful termination (38) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (08) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (39) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (38)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. ☒ monetary b. ☐ nonmonetary; declaratory or injunctive relief c. ☐ punitive
4. Number of causes of action (specify): Eight for wrongful termination and related causes of action
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: January 30, 2017
 Joshua Cohen Slatkin

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

- NOTICE**
- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
 - File this cover sheet in addition to any cover sheet required by local court rule.
 - If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
 - Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Form Adopted for Mandatory Use
 Judicial Council of California
 CM-010 (Rev. July 1, 2007)

CIVIL CASE COVER SHEET

Cal. Rules of Court, rules 2.50, 3.220, 3.400-3.403, 3.740;
 Cal. Standards of Judicial Administration, esp. 3.10
 www.courtinfo.ca.gov

SHORT TITLE:
George Cable v Starbucks Corporation

CASE NUMBER

BC 649985

**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? ☒ YES CLASS ACTION? ☐ YES LIMITED CASE? ☐ YES TIME ESTIMATED FOR TRIAL 7 ☐ HOURS/ ☒ DAYS

Item II. Indicate the correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column A, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column B below which best describes the nature of this case.

Step 3: In Column C, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

Applicable Reasons for Choosing Courthouse Location (see Column C below)

1. Class actions must be filed in the Stanley Mosk Courthouse, central district.
2. May be filed in central (other county, or no bodily injury/property damage).
3. Location where cause of action arose.
4. Location where bodily injury, death or damage occurred.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office.

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death - Uninsured Motorist	1., 2., 4.
Other Personal Injury/Property Damage/Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4. 1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4. 1., 4. 1., 3. 1., 4.

SHORT TITLE: George Cable v Starbucks Corporation	CASE NUMBER
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	A CMI Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - (See Step 3 Above)
Non-Personal Injury/Property Damage/ Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
	Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.
Employment	Wrongful Termination (36)	<input checked="" type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
	Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Contract	Breach of Contract/ Warranty (08) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.
	Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 6.
	Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Disputes(not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 5.
	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2.
	Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
Real Property	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6. 2., 6. 2., 6.
	Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
	Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer	Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure <input type="checkbox"/> A6015	2., 6.
	Unlawful Detainer-Drugs (36)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.

LACIV 109 (Rev. 03/11)
LASC Approved 03-04

**CIVIL CASE COVER SHEET ADDENDUM
AND STATEMENT OF LOCATION**

Local Rule 2.0
Page 2 of 4

SHORT TITLE: George Cable v Starbucks Corporation	CASE NUMBER
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A8108 Asset Forfeiture Case	2., 8.
	Petition re Arbitration (11)	<input type="checkbox"/> A8115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.
	Writ of Mandate (02)	<input type="checkbox"/> A8151 Writ - Administrative Mandamus <input type="checkbox"/> A8152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A8153 Writ - Other Limited Court Case Review	2., 8. 2. 2.
	Other Judicial Review (39)	<input type="checkbox"/> A8150 Other Writ /Judicial Review	2., 8.
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A8005 Antitrust/Trade Regulation	1., 2., 8.
	Construction Defect (10)	<input type="checkbox"/> A8007 Construction Defect	1., 2., 3.
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A8008 Claims Involving Mass Tort	1., 2., 8.
	Securities Litigation (28)	<input type="checkbox"/> A8035 Securities Litigation Case	1., 2., 8.
	Toxic Tort Environmental (30)	<input type="checkbox"/> A8036 Toxic Tort/Environmental	1., 2., 3., 8.
Enforcement of Judgment	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A8014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
	Enforcement of Judgment (20)	<input type="checkbox"/> A8141 Sister State Judgment <input type="checkbox"/> A8160 Abstract of Judgment <input type="checkbox"/> A8107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A8140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A8114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A8112 Other Enforcement of Judgment Case	2., 9. 2., 8. 2., 9. 2., 8. 2., 8. 2., 8., 9.
Miscellaneous Civil Complaints	RICO (27)	<input type="checkbox"/> A8033 Racketeering (RICO) Case	1., 2., 8.
	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A8030 Declaratory Relief Only <input type="checkbox"/> A8040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A8110 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A8000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.
	Partnership Corporation Governance (21)	<input type="checkbox"/> A8113 Partnership and Corporate Governance Case	2., 8.
Miscellaneous Civil Petitions	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A8121 Civil Harassment <input type="checkbox"/> A8123 Workplace Harassment <input type="checkbox"/> A8124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A8190 Election Contest <input type="checkbox"/> A8110 Petition for Change of Name <input type="checkbox"/> A8170 Petition for Relief from Late Claim Law <input type="checkbox"/> A8100 Other Civil Petition	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.

LOCIV 109 (Rev. 03/11)
LASC Approved 03-04

**CIVIL CASE COVER SHEET ADDENDUM
AND STATEMENT OF LOCATION**

Local Rule 2.0
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SHORT TITLE: George Cable v Starbucks Corporation	CASE NUMBER
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Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II, Step 3 on Page 1, as the proper reason for filing in the court location you selected.

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case. <input type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input checked="" type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.		ADDRESS: 17400 Hawthorne Blvd.
CITY: Torrance	STATE: CA	ZIP CODE: 90504

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Stanley Mosk courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0; subds. (b), (c) and (d)].

Dated: January 30, 2017


(SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.